

House Amendment 8309

PAG LIN

1 1 Amend House File 2716 as follows:
1 2 #1. Page 4, by inserting after line 13 the
1 3 following:
1 4 <Sec. _____. Section 515F.5, Code 2005, is amended
1 5 by adding the following new subsection:
1 6 NEW SUBSECTION. 1A. The commissioner shall
1 7 provide written notice to the public, as provided in
1 8 rules adopted under chapter 17A, that an insurer has
1 9 made a rate filing pursuant to this section, including
1 10 the proposed effective date of the filing, and the
1 11 character and extent of the coverage contemplated.>
1 12 #2. Page 5, by inserting after line 4 the
1 13 following:
1 14 <Sec. _____. Section 622.10, subsection 3, paragraph
1 15 d, Code 2005, is amended to read as follows:
1 16 d. Any physician or surgeon, physician assistant,
1 17 advanced registered nurse practitioner, or mental
1 18 health professional who provides records or consults
1 19 with the counsel for the adverse party shall be
1 20 entitled to charge a reasonable fee for production of
1 21 the records, diagnostic imaging, and consultation.
1 22 Any party seeking consultation shall be responsible
1 23 for payment of all charges. ~~The fee for copies of any~~
~~1 24 records shall be based upon actual cost of production.~~
1 25 Upon written request from a party or a party's
1 26 representative accompanied by a legally sufficient
1 27 patient's waiver, copies of the requested records or
1 28 diagnostic images shall be provided to the party or
1 29 the party's representative within thirty days of
1 30 receipt of the written request. A fee shall be
1 31 charged for the cost of producing such copies but the
1 32 fee shall not exceed the following:
1 33 (1) For printed or photocopied records, twelve
1 34 cents per single-sided page or seventeen cents per
1 35 double-sided page based upon a page measuring eight
1 36 and one-half inches by eleven inches or less.
1 37 (2) For X rays, diagnostic images, photographs, or
1 38 other graphic image records, the actual cost of
1 39 materials and supplies used to produce the copies of
1 40 such images or ten dollars per item, whichever is
1 41 less.
1 42 (3) For electronically scanned or produced
1 43 records, the actual cost of the materials and supplies
1 44 incurred in producing the records, or five dollars,
1 45 whichever is less.
1 46 (4) If applicable, reasonable and actual costs of
1 47 postage or delivery charges.
1 48 Fees charged pursuant to this subsection are not
1 49 subject to a sales or use tax. A physician or
1 50 surgeon, physician assistant, advanced registered
2 1 nurse practitioner, or mental health professional may
2 2 require payment in advance if the copies are requested
2 3 in writing and fees are itemized.>
2 4 #3. Page 5, line 5, by striking the words <REGRET
2 5 OR> and inserting the following <REGRET.>
2 6 #4. Page 5, by striking line 6.
2 7 #5. Page 5, line 13, by inserting after the word
2 8 <occupation,> the following: <that portion of>.
2 9 #6. Page 5, line 14, by striking the word
2 10 <apology,>.
2 11 #7. By striking page 5, line 22, through page 6,
2 12 line 6, and inserting the following:
2 13 <Sec. _____. CLOSED=CLAIM REPORT. An insurer
2 14 providing medical malpractice insurance coverage to a
2 15 health care provider or a health care provider who
2 16 maintains professional liability insurance coverage
2 17 through a self-insurance plan shall file annually with
2 18 the commissioner of insurance on or before March 15 a
2 19 report of all medical malpractice insurance closed
2 20 claims during the preceding calendar year. In
2 21 addition, any insurer who provided medical malpractice
2 22 insurance coverage to a health care provider or a
2 23 health care provider who maintained professional
2 24 liability coverage through a self-insurance plan

2 25 between January 1, 1991, and December 31, 2005, shall
2 26 file a report with the commissioner of all medical
2 27 malpractice closed claims during the period. The
2 28 commissioner shall prepare a comprehensive analysis of
2 29 the closed claim data for that period for submission
2 30 to the general assembly on or before January 15,
2 31 2007.>
2 32 [#8.](#) By renumbering as necessary.
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2 36 _____
2 37 JOCHUM of Dubuque
2 38 HF 2716.201 81
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